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Attorneys for Plaintiff, Kayla Cashman, by and through her Guardian Ad Litem, Bernadette Hilgeman; and Stephen Cashman

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

KAYLA CASHMAN, BY AND THROUGH  
HER GUARDIAN AD LITEM BERNADETTE  
HILGEMAN; AND STEPHEN CASHMAN

**PLAINTIFF(S),**

V.

SAN DIEGO UNIFIED SCHOOL DISTRICT;  
JAMES GOOD, INDIVIDUALLY; JESUS  
MONTANA, INDIVIDUALLY, AND DOES  
1 THROUGH 20

**Case Number: 08 CV 0519-BEN (POR)**

**STIPULATION TO CONTINUE  
HEARING DATE ON DEFENDANTS'  
MOTION TO DISMISS**

[F.R.C.P. 12(b) (1), (6)]

**Judge: Hon. Roger T. Benitez  
Courtroom: 3**

**Hearing Date: August 4, 2008  
Time: 10:30 a.m.**

COMES NOW plaintiffs, Kayla Cashman by and through her Guardian ad Litem Bernadette Hilgeman, and Stephen Cashman, individually, by and through their counsel and defendants, San Diego Unified School District and James Good, individually by and through their counsel and stipulate as follows:

**WHEREAS**, defendants had scheduled for hearing a Motion to Dismiss plaintiffs' first amended complaint pursuant to F.R.C.P. 12(b)(1), (6) for August 4, 2008;

1                   **WHEREAS**, plaintiff's counsel is unavailable from July 21<sup>st</sup> through August 5<sup>th</sup>,  
2 2008, due to prior out of town legal commitments and pre-arranged family vacation.

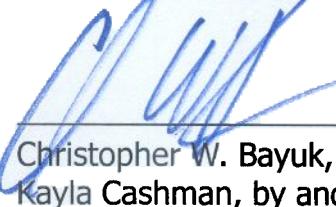
3                   **IT IS HEREBY STIPULATED** by and between the party's through their respective  
4 counsel that the hearing date on defendant's Motion to Dismiss be continued to and  
5 including August 25, 2008, at 10:30 a.m., before the Honorable Roger T. Benitez,  
6 United States District Court Judge.

7                   **IT IS HEREBY FURTHER STIPULATED** by and between the party's through their  
8 respective counsel that all briefing will be pursuant to the applicable rules and  
9 procedures.

10  
11  
12                   DATED: July 8, 2008

13  
14                   By:

15                   BAYUK & ASSOCIATES, Inc.

16                     
17                   Christopher W. Bayuk, Attorneys for  
18                   Kayla Cashman, by and through her  
19                   Guardian ad Litem, Bernadette Hilgeman  
20                   and Stephen Cashman, individually.

21  
22                   DATED: July 8, 2008

23                   By:

24                   HIGGS FLETCHER & MACK, LLP

25                     
26                   Michael R. Gibson, Attorneys for San  
27                   Diego Unified School District and James  
28                   Good.